

PATENT
07/352,530

D. REMARKS

Claims 1-33 are pending in the application. Claims 28-33 have been newly added herein.

Applicants' attorney brings to the examiner's attention that claim 1 was incorrectly stated in the Office Action. The examiner included the claim as originally filed, but according to Applicants' file history, claim 1 had been previously amended. Claim 1 as presented herein reflects what Applicants believe to be the latest version of claim 1. Applicants' attorney also brings to the examiner's attention that claims 2-27 remained pending in the application, and not just claim 1 as indicated by the examiner. Applicants respectfully request a new non-final action if the examiner does not pass this application to issuance so that the examiner can examine at least claims 2-27 that should have been examined in the current Office Action.

The examiner has rejected claim 1 under 35 USC 102 as being anticipated by Kolnick (US patent 5,502,839). A claim is anticipated only if all of the elements are shown by the reference. As discussed below, Kolnick does not show the element "means for dynamically associating different ones of said interface objects with a plurality of logical frame presentations based upon data within each of said different ones of said interface objects." Kolnick shows the opposite and thus teaches away from this. Therefore, Applicants' claimed invention is not anticipated. Applicants request that all claims now be allowed.

AT9-89-039

16

PATENT
07/352,530

Applicants appreciate the thorough examination of this pending application by the examiner and the thorough analysis of the cited art. To simplify prosecution, Applicants will not comment on each item found to be similar by the examiner, but rather focus on the differences that may have been overlooked by the examiner. These differences illustrate that the reference teaches away from the claimed invention.

In essence, assuming arguendo that the examiner is correct in stating that "'Menu', as used in the instant application is equivalent to 'metaphor' and 'context' in Kolnick," as stated on page 4, lines 26-27 of the Office Action, and "logical frame presentation" in Applicants' claimed invention is equivalent to "icons" of Kolnick (page 6, lines 5-9); then in terms of Applicants' claimed invention, Kolnick associates logical frame presentations with different ones of said interface objects based upon data within each logical frame presentation. This teaches away from Applicants' claimed invention of associating different one of said interface objects with a plurality of logical frame presentations based upon data within each of said different ones of said interface objects.

For example, in a preferred embodiment of Applicants' invention, a menu object is given a same search key as the other items on the menu that the user wants it to be included within. The menu then comprises all of the objects that happened to have met the search criteria (for the key) at any one time (page 26, lines 15-33). As such, it is the "lower level" menu objects that contain the data that determines which top menu a given lower level menu object belongs to. To the contrary, Kolnick teaches that the top menu contains the data that determines which lower objects will belong to it. As such, top

AT9-89-039

17

PATENT
07/352,530

level menus in the present application are not "static" (page 26, lines 27, 28) or in terms of Kolnick, are not "predefined."

Kolnick teaches away from the resulting effect of Applicants' claimed invention that menus are not static and are not predefined by teaching that menus are predefined (column 16, lines 57-58; column 39, lines 23-25, column 42, lines 46-47). Also, Kolnick teaches that MENU contains a list of menu items (column 40, lines 4-16, column 42, lines 61-67). To the contrary, Applicants described their preferred embodiment where a top level menu does not specify menu objects, but rather the menu objects become associated with that top level menu (logical frame presentation) by identifying within the menu objects a search key (i.e., based upon data within each of said different ones of said interface objects) as claimed in Applicants' claimed invention by the words "associating different ones of said interface objects with a plurality of logical frame presentations based upon data within each of said different ones of said interface objects."

Other teachings in Kolnick that further support this difference in Applicants' claimed invention from Kolnick are as follows:

Column 5, line 65 to column 6, line 2 states "Any process can create context processes. Each new context thus defined is completely contained inside the context in which it was created and therefore is shielded from outside reference." This teaches, for example, that a top level menu, or logical frame presentation, or metaphor creates and defines a new lower level process that is contained within the top level menu that creates it and can't be referenced by others. To the contrary, Applicants' invention enables new

AT9-89-039

18

PATENT
07/352,530

lower level objects to be created independently and can be associated with any other top level menu based on the data inside the new lower level object.

Column 6, lines 28-29 state that "messages are the only way for two processes to exchange data". To the contrary, Applicants' invention enable a process (menu) to "exchange data" by the data contained within the process (menu) through the search key data.

Column 9, lines 16 – 25 states "When a message is sent by name, the destination process must be found in the name space. The search path is determined by the nesting of the contexts in which the sending process resides. From a given process, a message can be sent to all processes in its own context or (optionally) to those in any higher context. Refer to FIG. 5. The contexts are searched from the current one upward until a match is found or until the system context is reached. All processes with the same name in that context are then queued a copy of the message." To the contrary, as a consequence of the claimed invention, the top level menu will search for a search key contained in lower level contexts.

Furthermore, column 14, lines 38-42 "All such information is stored as pictures which can be modified to suit the end user's requirements, either prior to or after installation. The user can modify the supplied dialog with his own at any time." However, Kolnick fails to teach Applicants' claimed invention of "*how*" this modification takes place. Kolnick fails to teach "dynamically associating different ones of said interface objects with a plurality of logical frame presentations based upon data within

AT9-89-039

19

each of said different ones of said interface objects," as claimed in Applicants' claimed invention. Instead, Kolnick teaches away from this by teaching that a menu proper contains a list of "macro" picture elements, one per selectable choice or "item" (see column 21 lines 56-57; see also column 35, lines 57-59), and that the menu picture contains an element of a text string that consists of a pair of characters for each item in the menu. It is this list that gets changed to reflect current options available to a user (column 22, lines 15-21). To the contrary, as a result of Applicants' claimed invention, a menu (before being displayed) does not contain a list of the choices or items in the menu to be changed. The items become part of the logical frame presentation of the menu when the menu searches for the searchable key contained in each choice or item object. To change a menu then requires changing (e.g., adding/deleting choices or items) the searchable key of the "choice or item" object, and not making direct changes to the list of elements in the menu as taught by Kolnick.

Kolnick teaches at column 42, lines 39-41 that "Menus (as well as icons, prompts, and information) can be stored in "libraries" to which the metaphor may be linked when it is built or when it is initiated." This further teaches away from Applicants' claimed invention by stating that when a metaphor is built it is at that time linked to predefined menus stored in a library. To the contrary, as a consequence of Applicants' claimed invention, a menu, at the time it is built, is not linked to specific entities stored in the library. The linking would not take place with specific entities until a logical frame presentation was created and even then the menu (metaphor) does not know directly from